

05-12-05

Ifw

Mail Stop Amendment

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

Express Mail Label No.: EL 997385337 US

Total Number of Pages in This Submission: 19

Application Number 10/629,366

Filing Date July 29, 2003

Confirmation Number 6288

Inventor(s) EATON et al.

Group Art Unit 3743

Examiner Weiss, J.

Attorney Docket No. 01-18

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (submit in duplicate)	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet
<input type="checkbox"/> Fee Attached \$ <input type="text"/>	<input type="checkbox"/> Cover Sheet	<input type="checkbox"/> After Allowance Communication to Group
Check No.: <input type="text"/>	<input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Request for Return of PTO-1449 Forms	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to the Commissioner	<input type="checkbox"/> Request for Continued Examination (RCE)
<input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Request Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Address	<input type="checkbox"/> Small Entity Statement
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer(s)	<input type="checkbox"/> Request for Refund
<input type="checkbox"/> Form PTO-1449	<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Cited References	<input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	
<input type="checkbox"/> Search report		
<input type="checkbox"/> Drawing(s): Number of Pages <input type="text"/> Number of Figs. <input type="text"/> and cover sheet	<input type="checkbox"/> Other Enclosure(s): <input type="text"/>	
<input type="checkbox"/> Formal		
<input type="checkbox"/> Informal		

Current Due Date: May 11, 2005 (one month extended)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	<i>Michael W. Haas</i>
Date	May 11, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 11, 2005,
Express Mail Label No. EL 997385337 US.

Typed Name	Michael W. Haas, Reg. No. 35,174		
Signature	<i>Michael W. Haas</i>	Date	May 11, 2005

FEE TRANSMITTAL

(Effective 12/08/2004)



Application Number		10/629,366
Filing Date		July 29, 2003
First Named Inventor		EATON et al.
Confirmation Number		6288
Group Art Unit		3743
Examiner's Name		Weiss, J. Jr.
Attorney Docket No.		01-18
"Express Mail" Label No. EL 997385337 US		
TOTAL AMOUNT OF PAYMENT	\$ 270.00	

METHOD OF PAYMENT					FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: <u>50-0558</u></p> <p>Deposit Account Name: <u>Respironics, Inc.</u></p> <p><input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17 and 1.20 <input type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18</p>					<p>3. APPLICATION SIZE FEE</p> <p>If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S. C. § 41(a)(1)(G) and 37 C.F.R. § 1.16(s).</p> <p>Total Sheets: <u> </u> Extra Sheets: <u> </u> Number of each additional 50 fraction thereof: <u> </u> Fee(\$): <u> </u> Fee Paid(\$): <u> </u></p> <p><u> </u> -100 = <u> </u> /50 = <u> </u> (round up to a whole number) X 250 = <u>0.00</u></p>																																																																																																																																																																																																																																																																																
<p>2. <input type="checkbox"/> Payment Enclosed:</p> <p>Check (Check No. <u> </u>)</p>					<p>4. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or declaration</td> <td></td> </tr> <tr> <td>1811</td> <td>100</td> <td>1811</td> <td>100</td> <td>Certificate of Correction</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>576</td> <td>25</td> <td>576</td> <td>25</td> <td>Additional filing receipt, duplicate or corrected due to applicant error</td> <td></td> </tr> <tr> <td>1251</td> <td>120</td> <td>2251</td> <td>60</td> <td>Extension for response within first month</td> <td>120.00</td> </tr> <tr> <td>1252</td> <td>450</td> <td>2252</td> <td>225</td> <td>Extension for response within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>1,020</td> <td>2253</td> <td>510</td> <td>Extension for response within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,590</td> <td>2254</td> <td>795</td> <td>Extension for response within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,160</td> <td>2255</td> <td>1,080</td> <td>Extension for response within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>500</td> <td>2401</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>500</td> <td>2402</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>1,000</td> <td>2403</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1452</td> <td>500</td> <td>2452</td> <td>250</td> <td>Petition to revive unavoidably abandoned application</td> <td></td> </tr> <tr> <td>1453</td> <td>1,500</td> <td>2453</td> <td>750</td> <td>Petition to revive unintentionally abandoned application</td> <td></td> </tr> <tr> <td>1501</td> <td>1,400</td> <td>2501</td> <td>700</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>800</td> <td>2502</td> <td>400</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1814</td> <td>130</td> <td>2814</td> <td>65</td> <td>Statutory Disclaimer</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of property)</td> <td></td> </tr> <tr> <td>1801</td> <td>790</td> <td>2801</td> <td>395</td> <td>Request for Continued Examination</td> <td></td> </tr> <tr> <td>1504</td> <td>300</td> <td>1504</td> <td>300</td> <td>Publication Fee</td> <td></td> </tr> <tr> <td colspan="5">Other Fee (specify) <u> </u></td> <td></td> </tr> <tr> <td colspan="5"> <p>SUBTOTAL (1) \$ 0.00</p> </td> <td colspan="5"> <p>SUBTOTAL (3) \$ 120.00</p> </td> </tr> <tr> <td colspan="5"> <p>2. CLAIMS</p> <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">SUBTOTAL (2)</td> <td>\$ 150.00</td> </tr> </tbody> </table> </td> <td colspan="5"> <p>1. BASIC FILING, SEARCH, AND EXAM FEES (Large Entity Only)</p> <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">SUBTOTAL (1)</td> <td>\$ 0.00</td> </tr> </tbody> </table> </td> </tr> </tbody> </table>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or declaration		1811	100	1811	100	Certificate of Correction		1812	2,520	1812	2,520	For filing a request for reexamination		576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error		1251	120	2251	60	Extension for response within first month	120.00	1252	450	2252	225	Extension for response within second month		1253	1,020	2253	510	Extension for response within third month		1254	1,590	2254	795	Extension for response within fourth month		1255	2,160	2255	1,080	Extension for response within fifth month		1401	500	2401	250	Notice of Appeal		1402	500	2402	250	Filing a brief in support of an appeal		1403	1,000	2403	500	Request for oral hearing		1452	500	2452	250	Petition to revive unavoidably abandoned application		1453	1,500	2453	750	Petition to revive unintentionally abandoned application		1501	1,400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1814	130	2814	65	Statutory Disclaimer		1460	130	1460	130	Petitions to the Director		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of property)		1801	790	2801	395	Request for Continued Examination		1504	300	1504	300	Publication Fee		Other Fee (specify) <u> </u>						<p>SUBTOTAL (1) \$ 0.00</p>					<p>SUBTOTAL (3) \$ 120.00</p>					<p>2. CLAIMS</p> <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">SUBTOTAL (2)</td> <td>\$ 150.00</td> </tr> </tbody> </table>					Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Extra Claims	Fee from Below	Fee Paid	Utility	300	500	200				Design	200	100	130				Plant	200	300	160				Reissue	300	500	600				Provisional	200	0	0				SUBTOTAL (2)						\$ 150.00	<p>1. BASIC FILING, SEARCH, AND EXAM FEES (Large Entity Only)</p> <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">SUBTOTAL (1)</td> <td>\$ 0.00</td> </tr> </tbody> </table>					Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Extra Claims	Fee from Below	Fee Paid	Utility	300	500	200				Design	200	100	130				Plant	200	300	160				Reissue	300	500	600				Provisional	200	0	0				SUBTOTAL (1)						\$ 0.00
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																																																
1051	130	2051	65	Surcharge - late filing fee or declaration																																																																																																																																																																																																																																																																																	
1811	100	1811	100	Certificate of Correction																																																																																																																																																																																																																																																																																	
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																																																																																																																																																	
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error																																																																																																																																																																																																																																																																																	
1251	120	2251	60	Extension for response within first month	120.00																																																																																																																																																																																																																																																																																
1252	450	2252	225	Extension for response within second month																																																																																																																																																																																																																																																																																	
1253	1,020	2253	510	Extension for response within third month																																																																																																																																																																																																																																																																																	
1254	1,590	2254	795	Extension for response within fourth month																																																																																																																																																																																																																																																																																	
1255	2,160	2255	1,080	Extension for response within fifth month																																																																																																																																																																																																																																																																																	
1401	500	2401	250	Notice of Appeal																																																																																																																																																																																																																																																																																	
1402	500	2402	250	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																	
1403	1,000	2403	500	Request for oral hearing																																																																																																																																																																																																																																																																																	
1452	500	2452	250	Petition to revive unavoidably abandoned application																																																																																																																																																																																																																																																																																	
1453	1,500	2453	750	Petition to revive unintentionally abandoned application																																																																																																																																																																																																																																																																																	
1501	1,400	2501	700	Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																	
1502	800	2502	400	Design issue fee																																																																																																																																																																																																																																																																																	
1814	130	2814	65	Statutory Disclaimer																																																																																																																																																																																																																																																																																	
1460	130	1460	130	Petitions to the Director																																																																																																																																																																																																																																																																																	
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																																																																																																																																																	
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																	
8021	40	8021	40	Recording each patent assignment per property (times number of property)																																																																																																																																																																																																																																																																																	
1801	790	2801	395	Request for Continued Examination																																																																																																																																																																																																																																																																																	
1504	300	1504	300	Publication Fee																																																																																																																																																																																																																																																																																	
Other Fee (specify) <u> </u>																																																																																																																																																																																																																																																																																					
<p>SUBTOTAL (1) \$ 0.00</p>					<p>SUBTOTAL (3) \$ 120.00</p>																																																																																																																																																																																																																																																																																
<p>2. CLAIMS</p> <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">SUBTOTAL (2)</td> <td>\$ 150.00</td> </tr> </tbody> </table>					Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Extra Claims	Fee from Below	Fee Paid	Utility	300	500	200				Design	200	100	130				Plant	200	300	160				Reissue	300	500	600				Provisional	200	0	0				SUBTOTAL (2)						\$ 150.00	<p>1. BASIC FILING, SEARCH, AND EXAM FEES (Large Entity Only)</p> <table border="1"> <thead> <tr> <th>Appl. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="6">SUBTOTAL (1)</td> <td>\$ 0.00</td> </tr> </tbody> </table>					Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Extra Claims	Fee from Below	Fee Paid	Utility	300	500	200				Design	200	100	130				Plant	200	300	160				Reissue	300	500	600				Provisional	200	0	0				SUBTOTAL (1)						\$ 0.00																																																																																																																																																																										
Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																																																																																																																															
Utility	300	500	200																																																																																																																																																																																																																																																																																		
Design	200	100	130																																																																																																																																																																																																																																																																																		
Plant	200	300	160																																																																																																																																																																																																																																																																																		
Reissue	300	500	600																																																																																																																																																																																																																																																																																		
Provisional	200	0	0																																																																																																																																																																																																																																																																																		
SUBTOTAL (2)						\$ 150.00																																																																																																																																																																																																																																																																															
Appl. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																																																																																																																															
Utility	300	500	200																																																																																																																																																																																																																																																																																		
Design	200	100	130																																																																																																																																																																																																																																																																																		
Plant	200	300	160																																																																																																																																																																																																																																																																																		
Reissue	300	500	600																																																																																																																																																																																																																																																																																		
Provisional	200	0	0																																																																																																																																																																																																																																																																																		
SUBTOTAL (1)						\$ 0.00																																																																																																																																																																																																																																																																															

SUBMITTED BY					
Typed or Printed Name	Michael W. Haas			Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	May 11, 2005	Deposit Account Number	50-0558